

# **EXHIBIT I**

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

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MARISSA CARTER, EVELYN GRYS,  
BRUCE CURRIER, SHARON KONING,  
SUE BEEHLER, MARSHA MANCUSO,  
and JACLYN CUTHBERTSON, as  
Individuals and as representatives of the  
classes,

Plaintiffs

v.

Civil No. 6:14-cv-06275

CIOX HEALTH, LLC f/k/a CIOX  
TECHNOLOGIES, LLC, THE ROCHESTER  
GENERAL HOSPITAL, THE UNITY HOSPITAL  
OF ROCHESTER, and F.F. THOMPSON  
HOSPITAL, INC.,

Defendants.

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**RULE 26(a)(1) INITIAL DISCLOSURES**

Defendant CIOX Health, LLC (“CIOX”), by its attorneys, Hodgson Russ LLP, pursuant to Rule 26(a)(1) of the Federal Rules of Civil Procedure, makes the following Initial Disclosures. CIOX makes these disclosures based on information reasonably available to it at this time and reserves the right to supplement these initial disclosures after further investigation and discovery, pursuant to Federal Rule of Civil Procedure 26(e). By describing documents and potential witnesses, CIOX does not wave its rights to object to the production of any document or testimony of such witness on any ground, including attorney-client privilege, the work product doctrine, relevance, or other limitations provided for in the Federal Rules of Civil Procedure.

**I. Rule 26(a)(1)(A)(i). Individuals.** The name and, if known, the address and telephone number of each individual likely to have discoverable information- along with the subjects of that information- that the disclosing party may use to support its claims or defenses, unless the use would be solely for impeachment.

<u>Individual</u>	<u>Subject Matter</u>
Amy Creswell CIOX Technologies, LLC Vice President of Operations, Northeast Contact through Counsel	CIOX Operations in the Northeast Region of the United States, including a portion of New York
Anthony Fabrizio CIOX Client Executive Contact through counsel	CIOX relationship with RGH, Unity, and F. F. Thompson
Pamela Tilley CIOX Regional Manager of Operations Contact through counsel	CIOX Operations as they relate to F.F. Thompson
Juliana Szakall CIOX Regional Manager of Operations Contact through counsel	CIOX Operations as they relate to Rochester General Hospital and Unity
Dawn King Unity Health Information Manager Contact through counsel	
Marissa Carter	Plaintiff
Evelyn Gryns	Plaintiff
Bruce Currier	Plaintiff
Sharon Koning	Plaintiff
Sue Beehler	Plaintiff
Marsha Mancuso	Plaintiff
Jaclyn Cuthbertson	Plaintiff

**II. Rule 26(a)(1)(A)(ii). Documents and Things.** The following categories of documents in paper and/or electronic format and things are located at Defendant's offices at 925 North Point Parkway, Suite 350, Alpharetta, GA 30005:

- Documents evidencing the relationship between CIOX and each of Rochester General Hospital, The Unity Hospital of Rochester, and F.F. Thompson Hospital.
- Documents reflecting written and oral communications between HealthPort, CIOX, and Plaintiffs or the law firm(s), if any.

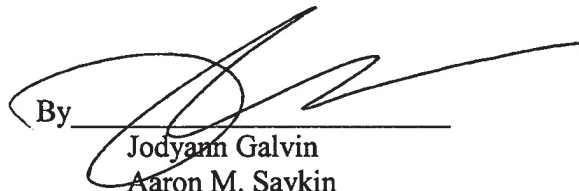
- Documents demonstrating and implementing the 42-step process utilized by CIOX to process medical records requests, which ensures confidentiality and accuracy of the records.
- Documents evidencing the process by which CIOX responds and processes medical records requests at the Hospitals and generally.
- Documents relating to costs incurred by CIOX in processing medical records requests.

**III. Rule 26(a)(1)(A)(iii). Damages.** CIOX does not currently claim any direct damages against the named Plaintiffs. This action is brought as a putative class action, however, and members of the class, if certified, may owe CIOX monies for breach of contract, unjust enrichment, or CIOX may have a claim for non-payment. CIOX accordingly has asserted defenses for set-off and recoupment, and will clarify the amount of damages if and when a class is defined and certified.

**IV. Rule 26(a)(1)(A)(iv). Insurance.** None.

Dated: September 8, 2017

**HODGSON RUSS LLP**

By  \_\_\_\_\_  
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